

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
ROBERT JONES,

Petitioner,

-against-

EISENSCHMIDT, SUPERINTENDENT,

Respondent.  
-----X

JUDGMENT  
01-CV- 1438 (JBW)

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT, E.D.N.Y.

★ OCT 17 2005 ★

BROOKLYN OFFICE

A Memorandum and Order of Honorable Jack B. Weinstein, United States District Judge, having been filed on December 15, 2004, dismissing the petition for lack of merit as well as on procedural grounds; and denying a Certificate of Appealability since no basis for a claim of a violation of any constitutional right has been shown; it is

ORDERED and ADJUDGED that petitioner take nothing of the respondent; that the petition is dismissed for lack of merit as well as on procedural grounds; and that a Certificate of Appealability is denied since no basis for a claim of a violation of any constitutional right has been shown.

Dated: Brooklyn, New York  
October 14, 2005

ROBERT C. HEINEMANN  
Clerk of Court